

CALEB L. MCGILLVARY, PRO SE
#1222665/SBI#1023176 NSSP
PO BOX 861 TRENTON, NJ 08625

JANUARY 8, 2024

HON. MICHAEL A. CHAGARES, C.A.J.
U.S. COURT OF APPEALS, 3RD CIR.

FRANK R. LAUTENBERG USPO & CHSE, ROOM 357
2 FEDERAL SQUARE

NEWARK, NJ 07102

RE: MCGILLVARY V. DAVIS, DKT. NO. 1:22-CV-04185-CPO
USDC-DNJ ON PETITION FOR WRIT OF HABEAS CORPUS

DEAR JUDGE CHAGARES;

PLEASE ACCEPT THIS LETTER IN REFERENCE TO
THE ABOVE-CAPTIONED CASE, WHICH HAS BEEN FILED
WITH THE CLERK OF THE DISTRICT COURT IN SAID CASE
& SERVED UPON THE RESPONDENT.

YOUR HONOR HAS ISSUED TWO ORDERS IN THE
RELATED CASE, MCGILLVARY V. SCUTARI ET AL, DKT.
NO. 1:23-CV-22605-JMY; FINDING THAT IT WAS IN
THE PUBLIC INTEREST TO DESIGNATE HON. JOHN MILTON
YOUNG TO HOLD A DISTRICT COURT UNTIL THE DISPOS-
ITION OF "ALL RELATED CASES." ID. ECF 4, 5. THE
ABOVE-CAPTIONED CASE IS A RELATED CASE WHICH
IS SPECIFICALLY REFERRED TO IN THE PLEADINGS
FOR SCUTARI. SEE ID. ECF 1, PARAGRAPHS "76" - "116."

SPECIFICALLY, I HAVE ALLEGED THAT MY MAIL HAS BEEN TAMPERED WITH BY OFFICERS OF THE US DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY; & THAT MY CURRENT HABEAS JUDGE HAS ENGAGED IN MONEY LAUNDERING, AS PART OF AN ILLICIT POLITICAL FUNDING NETWORK THAT INCLUDED THE ALLEGED VICTIM IN MY CRIMINAL CASE, IN SUPPORT OF UNREGISTERED FOREIGN AGENT ROBERT MENENDEZ. THESE ALLEGATIONS ARE SUBSTANTIATED BY OFFICIAL RECORDS OF THE FEDERAL ELECTIONS COMMISSION, US POSTAL SERVICE, & NJ ELECTION LAW ENFORCEMENT COMMISSION; & ARE THE SUBJECT OF OFFICIAL COMPLAINTS TO THOSE AGENCIES AS WELL AS THE U.S. DEPARTMENT OF JUSTICE & THE GOVERNMENT ACCOUNTABILITY OFFICE. THIS NETWORK INCLUDES NO LESS THAN 4 ADDITIONAL DISTRICT OF NEW JERSEY JUDGES; & JOINING THE US ATTORNEY'S OFFICE FOR THE SOUTHERN DISTRICT OF NY IN IMPLICATING SENATOR ROBERT MENENDEZ FOR ACTING AS AN UNREGISTERED FOREIGN AGENT AT THE TIME HE LOBBIED FOR THE NOMINATION OF 9 OF THE 13 DISTRICT JUDGES IN NJ.

IN LIGHT OF THESE FACTS, THE SAME FACTORS LEADING YOUR HONOR TO REASSIGN

SWTARI UNDER 28 U.S.C. 292(b), WHICH NO LESS HEAVILY IN THE ABOVE-CAPTIONED MATTER. ONE OF THE JUDGES NAMED IN SWTARI IS CURRENTLY PRESIDING, & I HAVE ALLEGED THAT SHE HAS STRUCTURED TWO \$2,500 TRANSACTIONS ON 9/21/11 TO ROBERT MENENDEZ AS CONSIDERATION FOR HIS LOBBYING TO SECURE HER NOMINATION IN JUNE OF 2021. FURTHERMORE, I HAVE ALREADY HAD MOTIONS GO MISSING AFTER BEING DELIVERED TO THE DNTJ, WITHOUT EVER BEING ENTERED ON THE DOCKET. SEE IN RE CALEB L. MCGILLVARY, APP. NO. 23-3031

FOR ALL THE FOREGOING REASONS, I RESPECTFULLY ASK THAT YOUR HONOR ACT IN THE PUBLIC INTEREST TO PRESERVE THE INTEGRITY OF THE FEDERAL JUDICIARY, & REASSIGN THE ABOVE-CAPTIONED MATTER UNDER 28 USC 292(b): TO A JUDGE FROM OUTSIDE OF THE DNTJ,

RESPECTFULLY SUBMITTED,

~~CALEB L. MCGILLVARY~~

CALEB L. MCGILLVARY, PRO SE
#122265/SB1 #1023176 NJSP
P.O. Box 861 TRENTON, NJ 08625

DATE: 1/8/24

ENCL:

CC: CUREN, USDC-DNTJ

AMANDA G. SCHWARTZ, ESQ.

HON. CHRISTINE P. O'HEARN, US DJ

CALEB L. MCGILLVARY, PRO SE
#1222665/SB1#1023176, NJSP
PO Box 861 Trenton, NJ 08625

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CALEB L. MCGILLVARY
PETITIONER

V.

BRUCE DAVIS, ADMINISTRATOR
NJSP, ATTORNEY GENERAL
OF NEW JERSEY
RESPONDENT

CIVIL ACTION NO.

1:22 - CV - 04185 - CPO

HON. CHRISTINE P. O'HEARN, U.S.D.J.

ON PETITION FOR WRIT OF
HABEAS CORPUS

DECLARATION OF CALEB L. MCGILLVARY

I, CALEB L. MCGILLVARY, DECLARE PURSUANT TO
28 USC 1746 THE FOLLOWING:

1.) I AM THE PRO SE PETITIONER FOR WRIT OF
HABEAS CORPUS IN THE ABOVE CAPTIONED MATTER.

2.) ON 1/28/23, CIRCUIT JUDGES JORDAN, PORTER,
& PHIPPS HELD THAT MY MOTION TO WITHDRAW MY
IFP APPLICATION IN THE ABOVE CAPTIONED MATTER
HAD BEEN RESOLVED BY MY PAYMENT OF THE
FILING FEE. SEE IN RE CALEB L. MCGILLVARY, APP. NO.
23-2660, 23-2820.

3.) ON 12/12/23, RESPONDENT FILED A RESPONSE TO MY MOTION FOR RECUSAL IN THIS MATTER. THE CLERK SENT ME NOTICE OF THIS, WHICH INDICATED IN THE UPPER LEFT CORNER "HABEAS, PLO." A COPY OF THIS NOTICE IS ATTACHED HERETO AS "EXHIBIT A".

4.) ALSO ON 12/12/23, THE CLERK OF THE USDC-DNJ FILED MY INITIAL COMPLAINT IN MCGILLVARY V. SWTARL, DKT NO. 1:23-cv-22605-JMY. IN THIS COMPLAINT, I NAME THE CURRENT JUDGE PRESIDING OVER THIS MATTER, HON. CHRISTINE P. O'HEARN, AS A DEFENDANT.

5.) ON 12/20/23, THE CLERK OF THE USDC-DNJ BELATEDLY ENTERED MY MEMORANDUM IN SUPPORT OF THE MOTION WHICH THE RESPONSE IN "3" WAS FILED IN RESPONSE TO. THE CLERK INDICATED IN THE UPPER LEFT CORNER "HABEAS, IFP, PLO." A COPY OF THIS NOTICE IS ATTACHED HERETO AS "EXHIBIT B".

6.) ON THE INFORMATION PRESENTED IN "3" - "5"; I BELIEVE THAT JUDGE O'HEARN HAS USURPED THE MANDATE DESCRIBED IN "2" TO RETALIATE AGAINST ME FOR MY PETITION FOR REDRESS NAMING HER AS A DEFENDANT IN "4"; BY CHANGING MY STATUS TO "IFP" AS DESCRIBED IN "5", DESPITE MY PAYMENT

OF THE FILING FEE IN THIS ACTION,

I DECLARE UNDER PENALTY OF PERJURY THAT ALL DOCUMENTS ATTACHED HERETO ARE TRUE & ACCURATE COPIES OF THE ORIGINALS, & THAT THE FOREGOING STATEMENTS ARE TRUE & ACCURATE,

EXECUTED THIS 8TH DAY OF JANUARY, 2024



CALEB L. MCGILVARY, PRO SE
#1222665/SB1 #1023176 NJSP
PO Box 861 TRENTON, NJ 08625

EXHIBIT A

Responses and Replies

1:22-cv-04185-CPO

MCGILLVARY v. DAVIS

HABEAS,PLO

U.S. District Court

District of New Jersey [LIVE]

Notice of Electronic Filing

The following transaction was entered by SCHWARTZ, AMANDA on 12/12/2023 at 12:40 PM EST and filed on 12/12/2023

Case Name: MCGILLVARY v. DAVIS

Case Number: 1:22-cv-04185-CPO

Filer: BRUCE DAVIS

THE ATTORNEY GENERAL OF THE STATE OF NEW JERSEY

Document Number: 33

Docket Text:

RESPONSE to Motion filed by BRUCE DAVIS, THE ATTORNEY GENERAL OF THE STATE OF NEW JERSEY re [32] MOTION for Recusal (Attachments: # (1) Affidavit Affidavit of Service)(SCHWARTZ, AMANDA)

1:22-cv-04185-CPO Notice has been electronically mailed to:

AMANDA GERILYN SCHWARTZ schwartza@njdcj.org

1:22-cv-04185-CPO Notice has been sent by regular U.S. Mail:

CALEB L. MCGILLVARY
1222665/SBI102317G
NEW JERSEY STATE PRISON
PO BOX 861
TRENTON, NJ 08625

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1046708974 [Date=12/12/2023] [FileNumber=17878370-0] [8ba7c76d95f2f220e50a160b0366698e66f0803fdf8474c1d7c38ff14e084d52efcd2568b3d533c0b5631838663d56fa7a12e8f64ef6c23110cbe65e098b83d1]]

Document description:Affidavit Affidavit of Service

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1046708974 [Date=12/12/2023] [FileNumber=17878370-1] [6126f28ad0c9cdd2304a640e592986312a529909ce5d775715eb48ec63dc5b809f3386acd16af9d66037259a163a025be51e0094a8ad4d28f2003c8ddc8cd5aa]]

EXHIBIT B

Responses and Replies

1:22-cv-04185-CPO

MCGILLVARY v. DAVIS

HABEAS,IFP,PLO

U.S. District Court

District of New Jersey [LIVE]

Notice of Electronic Filing

The following transaction was entered on 12/20/2023 at 12:05 PM EST and filed on 12/15/2023

Case Name: MCGILLVARY v. DAVIS

Case Number: 1:22-cv-04185-CPO

Filer: CALEB L. MCGILLVARY

Document Number: 34

Docket Text:

MEMORANDUM in Support filed by CALEB L. MCGILLVARY re [32] MOTION to Recuse Judge. (dmr)

1:22-cv-04185-CPO Notice has been electronically mailed to:

AMANDA GERILYN SCHWARTZ schwartza@njdcj.org

1:22-cv-04185-CPO Notice has been sent by regular U.S. Mail:

CALEB L. MCGILLVARY
1222665/SBI102317G
NEW JERSEY STATE PRISON
PO BOX 861
TRENTON, NJ 08625

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1046708974 [Date=12/20/2023] [FileNumber=17902621-0] [72312d30d0e3533ea369bf22cd7959dc26505dc6da92d8391aa3bc413405644ea
e3737cb9b24d55719aa17ca14bac0cc324a9bbd30e601a11fe6bc0bd2539c06]]

CAROL L. MCGILLVARY, PRO SE
#1222665/SBI#1023174 N5SP
PO BOX 861 TRENTON, NJ 08625

JAN 16 2024
RECEIVED

CLERK, USDC - DNJ
U.S. COURTHOUSE
4TH & COOPER STS.
CAMDEN, NJ 08101-2797

AT 8:30 _____ M
CLERK, U.S. DISTRICT COURT - DNJ

RE: MCGILLVARY V. DAVIS, DKT. NO. 1:23-CV-04185-CPO
ON PETITION FOR WRIT OF HABEAS CORPUS
HON. CHRISTINE P. O'HEARN 'USDJ,

DEAR CLERK:

PLEASE FIND ENCLOSED & FILE ONTO THE
DOCKET MY LETTER TO HON. MICHAEL A. CHAGARES,
C.A.J. & DECLARATION; & PROOF OF SERVICE
THEREOF; IN THE ABOVE-CAPTIONED MATTER.

THANK YOU,

~~XXXX~~

ENC:

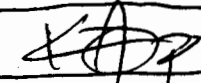
CC:

CAROL L. MCGILLVARY
IN PROPRIA PERSONA

PROOF OF SERVICE

I, CAVER L. MCGILLVARY, DECLARE PURSUANT TO 28 USC 1746 THAT ON TODAY'S DATE I PLACED IN THE INSTITUTIONAL MAILING SYSTEM HERE WHERE I'M CONFINED AT NJ STATE PRISON 3RD & FEDERAL STS. TRENTON, NJ 08625; WITH 1ST CLASS POSTAGE PREPAID TO BE SENT VIA USPS MAIL; THE ORIGINAL & 3 COPIES TO THE CLERK AT USDC-DNJ 4TH & COOPER STS. CAMDEN, NJ; & A COPY EACH TO HON. MICHAEL A. CHAGARES AT ROOM 357, 2 FEDERAL SQ. NEWARK, NJ 07102, & TO AMANDA G. SCHWARTZ AT OAG-HJC PO Box 085 25 MARQUET ST. TRENTON, NJ 08625-0085, OF MY LETTER TO JUDGE CHAGARES & DECLARATION. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE & ACCURATE.

EXECUTED THIS 8 DAY OF JANUARY, 2024


 CAVER L. MCGILLVARY, PRO SE
 #1222665/SB1 #1023176, NJSP
 PO Box 861 TRENTON, NJ 08625

C MCGILLVARY
#122665/SB1#1023176
JSSP P.O. BOX 861
TRENTON, NJ
08625



CLERK
USDC - DNT
US COURTHOUSE
4TH & COOPER STS.
CAMDEN, NJ
08101 - 2797

RECEIVED
JAN 16 2024
AT 8:30 M
CLERK, U.S. DISTRICT COURT - DNJ

RECEIVED
JAN 16 2024
AT 8:30 M
CLERK, U.S. DISTRICT COURT - DNJ

